

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

LOS ANGELES DISTRICT

Public Notice/Application No.: 200300803-MWV

Comment Period: March 12, 2004 through April 11, 2004

Project Manager: Matthew Vandersande (805) 585-2151 matthew.w.vandersande@usace.army.mil

Applicant

Troesh Ready Mix, Inc.
305 Cuyama Lane
Nipomo, California 93444

Contact

John Hecht
(805) 644-7976

Location

In the Cuyama River channel and floodplain, approximately 1 mile north of the town of Ventucopa, adjacent to State Route 33, Santa Barbara County, California (lat:34-51-17.3160 lon:119-29-40.7760).

Activity

To develop and operate a sand and gravel extraction and processing facility. For more information see page 3 of this notice.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit will be issued or denied under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344). Comments should be mailed to:

U.S. Army Corps of Engineers, Los Angeles District
Regulatory Branch - Ventura Field Office
ATTN: CESPL-CO-RN-200300803-MWV
2151 Alessandro Drive, Suite 110
Ventura, California 93001

Alternatively, comments can be sent electronically to: matthew.w.vandersande@usace.army.mil

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination - A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality - The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the California Regional Water Quality Control Board. Section 401 requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency.

Coastal Zone Management - This project is located outside of the coastal zone and will not affect coastal zone resources.

Cultural Resources - The latest version of the National Register of Historic Places has been consulted and this site is not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

Endangered Species - Preliminary determinations indicate that the proposed activity may affect two federally listed endangered species: blunt-nosed leopard lizard (*Gambelia sila*) and San Joaquin kit fox (*Vulpes macrotis mutica*).

Public Hearing - Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

The proposed project would impact approximately 100 acres of waters of the U.S. and 30 acres of uplands. Approximately 500,000 tons of sand and gravel would be extracted from the bed of the Cuyama River every year using heavy mobile equipment such as front-end loaders. The material would be processed on site at a facility to be built on adjacent uplands that are currently farmed. The processing facility would be electrically powered and move the mined material via a conveyor system. Within the facility the aggregate would be reduced in size, crushed, sorted, washed and stockpiled. On-road haul trucks would collect the aggregate from the processing facility for use in Santa Barbara, Ventura, and Kern counties.

Discharges of fill within waters of the U.S. would include: (1) mechanized land clearing of the river bed (approximately 100 acres); (2) grading of a 4-foot-tall 10-foot-wide earthen flood control berm around the mine pit with native river bed sediments (approximately 1200 feet long at the upstream end of the mine and 2800 feet long between the mine pit and the channel, to total approximately 0.9 acres); (3) construction of an access road into the mine (approximately 0.7 acres); (4) placement of unmarketable excess fines and sands back into the mined areas; (5) grading of a 4-foot-wide 10-foot-tall flood control berm adjacent and parallel to the mining pit to divert flows from Deer Park Creek away from the mining pit (approximately 0.2 acres); (6) construction of a rock riprap grade control wier at the confluence of Deer Park Creek and the Cuyama River (approximately 0.1 acres); and (7) removing buried cars along the bank of the river and restoring the area with a rock riprap toe and native vegetation (approximately 2 acres).

Discharge activities within waters of the U.S. would be staged in accordance with the progression of the mining operation. For example, the berms and access ramp would be extended as the mine pit expanded. Mining would start at the southwest corner of the property and continue to the northeast corner in a series of long narrow 30-foot-deep cuts. The maximum mining depth would be 90 feet or less if groundwater is reached. It is anticipated that large flow events in the river would flood the mining pit and deposit sediments. If these sediments are marketable then they would be mined as well, otherwise the mining would proceed as planned.

The mine would operate up to 303 days per year. Mining and processing would be conducted only during daylight hours. Truck loading would occur 24 hours per day all year long and necessitate that the processing facility be lit. Washwater from the processing of the aggregates would be kept in retention basins located at the processing facility. Fine material would be removed from the washwater by adding flocculant. The fine material would be redeposited in the mining pit by trucks. The applicant anticipates mining the site for 28 years and has requested a permit for the duration of the mining operation.

Additional Project Information

The applicant has proposed an avoidance plan to minimize impacts to blunt-nosed leopard lizards. The plan includes: (1) avoiding the areas where lizards have been located; (2) installing exclusionary fencing; (3) constructing an undercrossing to connect upstream and downstream habitat; (4) removing trash from the work area; (5) a worker education program; and (6) prohibiting the use of chemical dust suppressants near areas where lizards have been found. The agriculture restoration area identified in Figure 1 is no longer part of the proposed project. The applicant has also proposed an avoidance plan to minimize impacts to San Joaquin kit fox. The plan includes: (1) pre-ground disturbance surveys for foxes and active dens; (2) closing non-occupied dens; and (3) avoiding active dens.

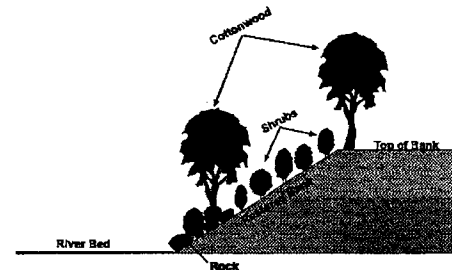
Proposed Special Conditions

No special conditions have been proposed for the project as of yet.

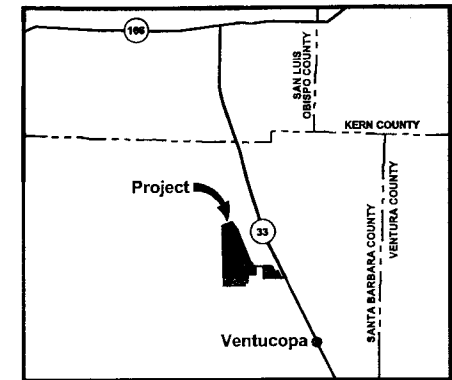
For additional information please call Matthew Vandersande of my staff at (805) 585-2151. This public notice is issued by the Chief, Regulatory Branch.

Sources:
 Topography; Golden State Aerial Surveys, S.L.O. CA, 7/17/02
 Mining Plan Contours; Daniel J. Pellow Consulting,
 P.E. Civil, No. C28164, Exp. 3/31/06, Glendora CA, 6/12/03
 Agricultural Restoration Area Contours; Daniel J. Pellow Consulting,
 P.E. Civil, No. C28164, Exp. 3/31/06, Glendora CA, 6/12/03
 All other Details; West Coast Environmental, Ventura CA, 6/12/03

NOTES:
 ALL SETBACKS FROM PROPERTY LINE
 ARE TO BE A MINIMUM OF 50 FEET.



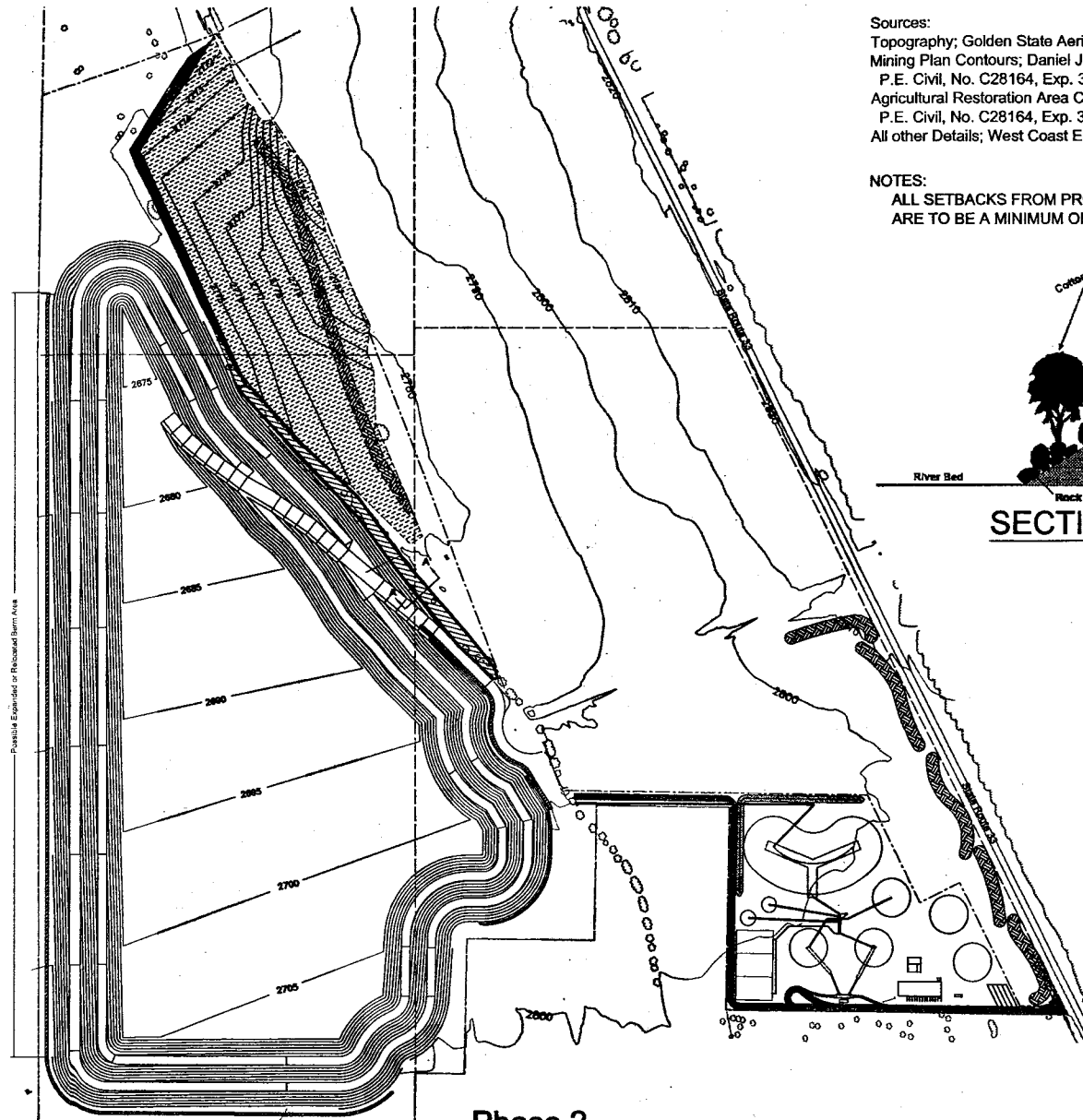
SECTION A-A'



VICINITY MAP
 NTS


LEGEND

- Internal Access Roads
- Landscaped Berm
(For Details, see Landscape Plan)
- Agricultural Restoration Area
- Topsoil Salvage Storage Area
- Buried Cars
- Berm Restoration Area
- Stormwater Percolation Swale
- Illustrative Example of Flood Control Berm
- Conveyor
- Assessor Parcel Boundaries
- CUP Boundary, 132.64 Acres



Phase 2



		Site Plan for Army Corps of Engineers PHASE 2 Diamond Rock Aggregate Mine Troesh Ready Mix, Inc. Maricopa, California	
PROJECT: JRO190-001-03		FIGURE 1	
DRAWN BY: BAJ	DATE: 12/17/03	REVISION:	
APPROVED BY: LR	DATE: 2/27/04	PRINTED: 2/27/04	
DRAWING: TRO190_MiningPhases_baj.dwg		SCALE: As Shown	